



BEAR VALLEY COMMUNITY SERVICES DISTRICT

99-74

March 3, 1999

Mr. Steve Ritchie
Deputy Executive Director
CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, CA 95814

Dear Mr. Ritchie:

Thank you for holding several informational workshops throughout the state regarding the proposed water use efficiency program and for allowing fair and thorough discussions of the two proposals that CALFED is considering. As voluntary signatories to the MOU since 1992, this district is committed to water conservation efforts that make sense within the framework of local opportunities and constraints. Please enter the following comments into the record of this critically important issue:

Membership in and Certification by the California Urban Water Conservation Council

The status of agencies that are voluntary signatories to the MOU but have fewer than 3000 connections (and serve less than 3000 acre feet per year) should be clarified. We feel that they should remain full voting members of the CUWCC and continue to implement the Best Management Practices even though certification would not be required.

Wholesale Water Suppliers

Assistance to retail agencies by their wholesalers should be voluntary. We oppose any mandatory program that would duplicate conservation efforts and would increase M&I water costs unreasonably. Some of the BMPs are best performed on a regional basis, i.e. public information, school education, etc., but most of the BMPs are best performed at the retail level only. Since CALFED will be providing both technical and financial assistance directly to retailers, we see little need to mandate wholesaler involvement in retailer programs.

Cost-effectiveness Standard

The MOU requires that environmental benefits and avoided environmental costs be included in the cost effectiveness analysis for each BMP. This is nearly impossible to do since there are no standardized values for these costs and benefits. Therefore, we propose that agencies not be denied certification based on the values it assigns to these costs and benefits until such a time that standardized values, based on sound economic principles, are developed and agreed to by Groups 1 and 2.

Certification Body

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(805) 821-4428 • (805) 821-0180 FAX

If the CUWCC is responsible for certification, then whatever decision making body is created for this should be chosen by the CUWCC Plenary. We oppose the plan for the members of the certification committee to be appointed by the Secretary of Resources, or any state office, as that process could become highly politicized. Also, the vote for certification of an agency should be by simple majority of the committee and not by the consensus method currently employed by the CUWCC Steering Committee.

Certification Appeals

Any agency that has complied with the requirements of the MOU and implemented the BMPs should be certified without risk of having that certification revoked by appeal of Group 2 members. The only time that certification should be revoked is when an agency has been found to have falsified its report. If an audit reveals such, then a review should be done immediately and certification temporarily suspended. You would not, however, need to grant Group 2 an appeal right to accomplish this.

Enforcement

Recalcitrant agencies should be subject to fines at each level of enforcement, however, the fine should not be a flat charge but should be based on the size of the agency (number of connections, population of service area, quantity of water served, etc.).

Water-based Sanctions

Enforcement should be limited to fines and public humiliation; it should not include water-based sanctions. One of the punishments proposed by the CUWA/EWC draft is a restriction on water transfers. We cannot understand how prohibiting water transfers furthers the state's objective of effectively managing water resources. It is a step backwards. Restricting access to the State Drought Bank or new water from the Bay-Delta is equally draconian.

Thank you for the opportunity to submit these comments. If you have any questions or need clarification on any of our positions, please feel free to contact me or John Martin at (661) 821-4428.

Sincerely,



John C. Yeakley
General Manager

JCY/jm